IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

Crl.Rev.Pet.No. 1470 of 2007()

CMP.4827/2005 of JUDL. MAGISTRATE OF FIRST CLASS-V, KOZHIKODE

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REVN. PETITIONER: COMPLAINANT

M.MURALIDHARAN, S/O.LATE MANAT CHANDRAN,
MANAT HOUSE, GURUVAYOORAPPAN COLLEGE. P.O.,
CALICUT.

BY ADV. SRI.C.K.RAMAKRISHNAN

RESPONDENTS: ACCUSED

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1. MRS.RADHIKA V.KUMAR, W/O.VINOD KUMAR,
ANIL COTTAGE, DUTT SAW MILL ROAD,
PO KALLAI, CALICUT.

2. STATE - REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 03/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 1470 OF 2007

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Dated this the 3rd day of April 2007

O R D E R

The revision petitioner is the complainant in CMP 4827/05 who had initiated proceedings under section 138 of the Negotiable Instruments Act. The same happened to be dismissed under section 204(4) Cr.P.C. It is the case of the complainant that his absence was on account of a wrong noting of the posting date.

2. In the circumstance, the order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the matter. The revision petitioner shall appear before Judicial First Class Magistrate V, Kozhikode on **25.04.2007.**

The Crl.R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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